

REMARKS

Claims 1, 7, and 17-19 have been amended. Claim 27 has been added. Upon entry of this Amendment, claims 1-19, and 27 will be pending. Claims 1 and 7 have been amended to more clearly define Applicants' invention. Support for the amendment to claim 1 may be found, for example, on page 22, at lines 12-16. Support for the amendment to claim 7 may be found, for example, on page 23, at lines 12-17. Claims 17-19 have been amended to correct certain informalities. Support for claim 27 may be found throughout the specification. No new matter has been added.

In the Office Action, claims 1, 2 and 4-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono et al. (U.S. Patent No. 5,555,004) in view of Armstrong (U.S. Patent No. 6,285,356). Applicants respectfully traverse this rejection.

Claim 1 and the claims that depend from claim 1, namely claims 2-12, are patentably distinguishable from Ono et al. in view of Armstrong because the claims recite a combination that includes, for example, a flexure that supports the first member with respect to the second member and allows the first member to move relative to the second member substantially *along* two axes. Thus, claim 1 is directed to translational motion. In contrast, Ono et al. describes a control key (21) that is supported by a pin (16) that acts as a fulcrum. (Ono et al. at col. 7, lns. 15-22, FIG. 5). The annular elastic layer (17) holds the control key (21) in a non-tilted neutral position when there is no operating force applied to control lever (20). (Ono et al. at col. 7, lns. 31-33). Thus, the annular elastic layer (17) does not allow the control key (21) to move relative to any other member substantially along two axes, as required by claim 1. The pin (16) only allows the control key (21) to tilt (Ono et al. at col. 7, lns. 21-22), which causes rotation of the control key (21). Thus, the control key of Ono et al. allows for rotational motion, rather than motion along two axes.

Armstrong does not make up for this deficiency because the sensors taught by Armstrong do not measure the displacement of the first member relative to the second member substantially *along* each of the two axes, as required by the claims. Accordingly, Applicants submit that claim 1 and the claims that depend from claim 1, namely claims 2-12, are patentable over Ono et al. in view of Armstrong and respectfully request that the rejection be withdrawn.

In the Office Action, claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono et al. in view of Armstrong and further in view of Couch et al. (U.S. Patent No. 6,033,309). Applicants respectfully traverse this rejection.

Claim 3 depends from claim 1. As explained above, claim 1 is patentable over Ono et al. in view of Armstrong. Couch et al. does not make up for this deficiency because the device of Couch et al. does not allow a first member to be displaced relative to a second member substantially along two axes. Further, the LED's and photo-detectors disclosed by Couch et al. do not measure the displacement of the first member relative to the second member substantially along each of the two axes, as required by claim 1. Instead, the LED's and photo-detectors of Couch et al. measure the tilt of one member relative to another member. Accordingly, Applicants submit that because claim 1 is patentable over Ono et al. in view of Armstrong and further in view of Couch et al., dependent claim 3 is also patentable over Ono et al. in view of Armstrong and further in view of Couch et al. and respectfully request that the rejection be withdrawn.

In the Office Action, claims 13, 14, and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ono et al. Applicants respectfully traverse this rejection.

Independent claim 13 is directed to a flexure and includes, for example, a first strip of material and a second strip of material and the first and second strips of material have a width that is at least twice its thickness. Ono et al. does not disclose or teach a flexure that comprises strips of material. The flexure element (17) of Ono et al. as shown in FIG. 8 comprises a flat disk portion (17₀), an annular ridge (17₁), and a skirt portion (17₂). (Ono et al., col. 9, lns. 14-32). The skirt portion (17₂) is necessarily annular because the skirt portion is located at the circumference of the flexure element (17). (Ono et al. at FIG. 8). Thus, the flexure element (17) is not a strip of material nor does it comprise strips of material. Accordingly, Applicants submit that claim 13, and the claims that depend from claim 13, namely claims 14-19, are patentable over Ono et al. and respectfully request that the rejection be withdrawn.

In the Office Action, claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono et al. in view of Armstrong. Applicants respectfully traverse this rejection.

As explained above, Ono et al. does not disclose a flexure that comprises strips of material. Armstrong does not make-up for this deficiency because the spring disclosed in Armstrong does not comprise strips of material. Further, claim 17 includes, for example, that the strips of material comprise spring steel material. "Spring steel" is an example of a high tensile strength steel, as disclosed in Applicants specification on page 20, lines 8-9.

Accordingly, Applicants submit that claim 17 is patentable over Ono et al. in view of Armstrong and respectfully request that the rejection be withdrawn.

In the Office Action, claims 15, 18, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono et al. Applicants respectfully traverse this rejection.

As explained above, Ono et al. does not disclose a flexure that comprises strips of material, as required by claim 13. Claims 15, 18, and 19 depend from claim 13 and are therefore patentable over Ono et al. Accordingly, Applicants submit that claims 15, 18 and 19 are patentable over Ono et al. and respectfully request that the rejection be withdrawn.

Applicants respectfully submit that claim 27 is patentable over Ono et al., Armstrong, and Couch because none of these references either alone or in combination teach the features recited in claim 27.

All rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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